

ABSTRACT

Public Services - Prisons Department - Sri K. Sreeramulu, Former Deputy Jailor – Revision Petition against the punishment of dismissal from service - Modification of Punishment - Orders – Issued.

HOME (Prisons. A) DEPARTMENT

G.O.Ms.No. 160

Date:02-07-2008

Read the following:-

1. From Sri K. Sreeramulu, former Superintendent, Sub-Jail, Chintalapudi, Representation, dated 10-02-2005.
2. From the DG&IGP&CS., AP., Hyderabad, Letter No. EA2/69/2005, dated 11-04-2005.

ORDER:

The DG&IGP&CS., AP., Hyderabad, has forwarded the Revision Petition, in the reference read above, filed by Sri K. Sreeramulu, Former Deputy Jailor, against the punishment of “dismissal from service” awarded by the DIG of Prisons (CAR), Rajuhmundry vide his Proceedings No.DIG/OS/3/99/15/6471-6474/2004, dated 29-09-2004.

2. Sri K. Sreeramulu, former Deputy Jailor, while working as Superintendent, Sub-Jail, Raychoti, Kadapa District, was charged for misappropriation of Government funds and they were held proved. The DIG of Prisons (RR), Kadapa, has awarded him the punishment of dismissal from service under clause (x) of Rule-9 read with clause (1) of Rule -20 of the A.P. Civil Services (CC&A) Rules, 1991, and instructions issued in G.O. Ms. No. 2, GA (Ser. C) Department, dated 04-01-1999, vide his Proceedings No. DIG (R)/OS/180/2003, dated 27-01-2003.
3. Aggrieved by the said dismissal orders, the individual has filed OA No. 879/2003 before the Hon'ble APAT, Hyderabad. The Hon'ble APAT, in its order, dated 05-09-2003, has observed that the enquiry report is contrary to the principles of natural justice and the findings of the enquiry officer are perverse. The individual has been deprived a right of appeal against the order of dismissal as the appellate authority (DG Prisons) has already formed an opinion and at his instance the action has been taken. With these observations, the Hon'ble APAT, has set aside the proceedings of DG&IGP&CS., AP., Hyderabad, in Memo No. EA2/1004/98, dated 28-12-1998, and the order of dismissal issued by the DIG of Prisons (RR), Kadapa, in Proceedings No. DIG (R)/OS/180/2003, dated 27-01-2003. However, the respondents are at liberty to proceed with the enquiry in accordance with law. The DIG of Prisons (RR), Kadapa, has preferred an appeal against the said order before the Hon'ble High Court of A.P., in WP No. 24318 of 2003 and the same was dismissed vide orders, dated 21-11-2003.

Cont...page...2

4. The DG&IGP&CS., AP., Hyderabad, has reinstated Sri K. Sreeramulu, into service without prejudice to the disciplinary action to be initiated against him afresh vide his proceedings No.EA2/188/2003, dated 12-12-2003. Subsequently, the individual was dealt with disciplinary proceedings for the following articles of charge issued by the DIG of Prisons (CAR), Rajahmundry, vide Memo No. DIG(OS)/3/392-396/99, dated 27-01-2004.

- (I) "That the said Sri K. Sreeramulu, Deputy Jailor, while functioning as Superintendent (Deputy Jailor), Sub-Jail, Rayachoti, has committed serious financial irregularities and indulged in misappropriation of Government money drawn for the purpose of white washing and painting the cells of Sub-Jail, Rayachoti".
- (II) "That the said Sri K. Sreeramulu, Deputy Jailor, while functioning in the aforesaid office, cheating the Government by drawing daily wages in the name of Smt S. Nirmala Devi, Attendant who never actually worked at the Sub-Jail, Rayachoti, and thus indulged in conduct, unbecoming of a Government servant, thus violated Sub-Rule (2) of Rule-3 of A.P. Civil Services (Conduct) Rules, 1964".
- (III) "That the said Sri K. Sreeramulu, Deputy Jailor, while functioning in the aforesaid office resorted to supply chicken instead of mutton to the prisoners and staff of Sub-Jail, Rayachoti and cheating the Government by claiming bills at the rates applicable to mutton by giving a false certificate that mutton was supplied in violation of Tender Rules and also in violation of Sub-Rule (4) of Rule 3 of A.P. Civil Services (Conduct) Rules, 1964".

5. The DIG of Prisons (CAR), Rajahmundry, has appointed Sri A.G. Sainath Reddy, Superintendent, Central Prison, Rajahmundry, as Enquiry Officer to conduct a detailed enquiry into the case. The Enquiry Officer has submitted his report, dated 04-06-2004, and the above charges were held proved. The DIG of Prisons (CAR), Rajahmundry, after following the due procedure laid down in Andhra Pradesh Civil Services (CC&A) Rules, 1991, has awarded the punishment of "dismissal from service" to the delinquent officer vide his Proceedings No. DIG/OS/3/99/15/6471-6474/2004, dated 29-09-2004. The appeal petition of the individual filed before the DG&IGP&CS., AP., Hyderabad, was rejected vide his Proceedings EA2/658/2004, dated 12-01-2005. Subsequently, he has filed revision petition before the Government on 10-02-2005 and requested to set aside the order of dismissal on the grounds adduced therein.

6. Government, after careful examination of the revision petition filed by Sri K. Sreeramulu, Former Deputy Jailor, and after verifying the relevant records relating to the case, decided to modify the punishment of "dismissal from service" imposed on the individual.

7. Accordingly, the Government hereby order modifying the punishment of "dismissal from service" imposed against Sri K. Sreeramulu, Former Deputy Jailor, by the DIG of Prisons (CAR), Rajahmundry, vide Proceedings No. DIG/OS/3/ 99/ 15/ 6471-6474/2004, dated 29-09-2004, to that of reduction in Time Scale of Pay by three stages with effect on future increments and pension besides recovery of misappropriated amount and treating the dismissal period as not on duty (dies non)".

8. The DG&IGP&CS., AP., Hyderabad, shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJOYENDRA PYAL
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General & Inspector General of Prisons,
& Correctional Services Andhra Pradesh,
Hyderabad.

The individual **through** the DG&IGP&CS.,
A.P., Hyderabad.

The Deputy Inspector General of Prisons (CAR),
Rajahmundry, East Godavari District.

Copy to:

The Accountant General, A.P., Hyderabad.

The District Treasury Officer, Kadapa.

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER